

Message Text

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ACTION SCS-03

INFO OCT-01 EUR-25 ISO-00 L-03 SCA-01 EB-11 INR-10 CIAE-00

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E.O. 11652: N/A

TAGS: CPRS UR ETRD

SUBJ: CIVIL ACTION AGAINST AMEXCO MOSCOW

1. AT PRETRIAL HEARING OCTOBER 29, MOSCOW CITY COURT JUDGE (RYAKLVSKAYA) HANDED AMEXCO MANAGER MILLER FORMAL COMPLAINT FOR DAMAGES FILED BY SOVIET CITIZEN SKOPTSOV. WITHOUT SPECIFYING PRECISE AMOUNT BEING SOUGHT, COMPLAINT ALLEGES SKOPTSOV IS TOTALLY INCAPACITATED AS RESULT 1969 AUTOMOBILE ACCIDENT CAUSED BY THEN AMEXCO MANAGER JELISVACIC. JUDGE ASKED MILLER TO FIND OUT WHETHER AMEXCO WILLING TO ADMIT RESPONSIBILITY AND MAKE OUT-OF-COURT SETTLEMENT. JUDGE INDICATED PLAINTIFF HAS BEEN "PATIENT" WITH RESPECT TO HIS CLAIM AND COURT WOULD EXPECT AMEXCO TO MOVE QUICKLY, IF POSSIBLE WITHIN TWO WEEKS, TO CLARIFY ITS POSITION.

2. MILLER, ASSISTED BY LOCAL RUBEZHOV (SENIOR CONSULTANT INYURKOLLEGIYA) AND CONSOFF, INDICATED AMEXCO RESPONSE COULD NOT BE EXPECTED RIGHT AWAY. MILLER MENTIONED POSSIBLE THREE MONTH DELAY BEFORE COMPANY RESPONSE MIGHT BE EXPECTED, ESPECIALLY SINCE IT APPEARED SKOPTSOV COMPLAINT (FILED BY WOLF, POPPER IN SPRING 1972) WAS STILL PENDING IN NYC. JUDGE INDICATED SHE UNDERSTOOD FROM PLAINTIFF NYC COMPLAINT WITHDRAWN APRIL 1972. MILLER AND RUBEZHOV PROMISED TO ASK AMEXCO NYC TO CLARIFY STATUS NYC SUIT AS WELL AS RESPOND TO SKOPTSOV COMPLAINT.

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3. IN SEVERAL COMMENTS JUDGE MADE CLEAR SHE THOUGHT PROMPT

OUT-OF-COURT SETTLEMENT WOULD BE ADVISABLE FOR AMEXCO.
AFTER CONCLUSION OF HEARING, RUBEZHOV PROMISED MILLER TO
STUDY COMPLAINT AND PROVIDE AMEXCO APPROXIMATE DAMAGES
SOUGHT (SKOPTSOV ALLEGEDLY EARNED 573 RUBLES PER MONTH
PRIOR TO ACCIDENT) AS WELL RESPONSES AMEXCO SHOULD CONSIDER,
INCLUDING SETTLEMENT OFFER.

4. IT IS BELIEVED MILLER WILL RECOMMEND OUT-OF-COURT SETTLE-
MENT TO HOME OFFICE. EMBASSY BELIEVES THIS WOULD BE IN
INTEREST BOTH PARTIES AS WELL AS AMERICAN BUSINESS
COMMUNITY IN MOSCOW. EXEMPT.
DUBS

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